



IMAGE

Attorney Docket No. 54006.8014.US00
P00-0022

1746

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: James BRYER
APPLICATION No.: 09/658,395
FILED: SEPTEMBER 8, 2000
FOR: **SPRAY NOZZLE SYSTEM FOR A
SEMICONDUCTOR WAFER CONTAINER CLEANING
APPARATUS**

EXAMINER: Zeinab El Arini
ART UNIT: 1746
CONF. No: 3427

**Interview Summary Under 37 C.F.R. 1.133(b) and
Amendment Under 37 C.F.R. 1.111**

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action mailed on November 13, 2003, please enter the following interview summary and amend the application as follows:

IN THE CLAIMS

Please cancel claim 36, and amend claims 6, 13, 14, and 16, as shown in the attached claim sheets.

Certificate of Mailing

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 10, 2004
Date of Deposit

Debbie Gilbert
Debbie Gilbert

Summary of January 29, 2004 Telephone Interview with Examiner El-Arini

The claim rejections in the November 13, 2003 Office Action were discussed.

With respect to the § 112(1) rejections at paragraph 2 of the Office Action, the Applicant pointed to several examples of support in the specification for the limitations at issue in claims 21 and 32. The Examiner agreed with the Applicant's position, and therefore agreed to withdraw the rejections.

With respect to the § 112(2) rejections at paragraph 5 of the Office Action, the Applicant explained that the spray manifolds that spray cleaning fluid towards the rotor, which includes box holding positions for holding a box, are the elements for cleaning the boxes. The Applicant further explained that the boxes themselves do not need to be positively recited in the claims, as they are not required elements of the cleaning system itself. The Examiner agreed with the Applicant's position, and therefore agreed to withdraw the rejections.

With respect to the § 112(2) rejections at paragraph 6 of the Office Action, the Applicant agreed to amend the claims at issue to recite that the spraying steps spray fluid toward the rotor for cleaning the boxes on the rotor. The Examiner agreed that the claims would be acceptable if amended in this manner.

With respect to withdrawn claim 36 (at paragraph 7 of the Office Action), the Applicant agreed to cancel claim 36.

With respect to the § 102 rejections at paragraph 9 of the Office Action, the Applicant pointed out that the cited reference (Thompson 5,562,113) is a Continuation of a reference (Thompson 5,224,503) that was previously cited, in a February 8, 2002

Office Action. Accordingly, the Thompson '113 reference includes the same disclosure as the Thompson '503 reference, and is therefore not new prior art.

In response to the February 8, 2002 Office Action, the Applicant argued for allowance of the claims over the Thompson '503 reference. The Examiner agreed with the Applicant's arguments, and subsequently allowed claims 1, 3, 6, and 9-16.

Accordingly, the Thompson '113 reference, which is a Continuation of the Thompson '503 reference, cannot properly be applied against previously allowed claims 1, 3, 6, and 9-16, since the Thompson '113 reference is not new prior art (see MPEP § 706.04, which requires a citation of new art to reject previously allowed claims). The Examiner agreed with the Applicant's analysis, and therefore agreed that the allowance of claims 1, 3, 6, and 9-16 would be reinstated.

With respect to the remaining § 102 rejections at paragraph 9 of the Office Action, the Applicant explained that the Thompson '113 reference only discloses straight spray nozzles that are directed "inward or directly toward the central axis of the processing chamber" (see col. 6, lines 7-11 and Fig. 7). In other words, none of the spray nozzles in Thompson '113 are angled with respect to the rotor, or with respect to one another, as recited in the rejected claims. Moreover, the claimed systems and methods were developed as an improvement over the straight-nozzle system disclosed in Thompson '113. The Examiner agreed with the Applicant's analysis, and therefore agreed to allow the rejected claims.